Previous references.

File No. 69 of 1900

1900.

Serial Nos. 1 – 4

(Police).

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1--4

~~Part B.~~ for March 1902

SUBJECT.

Relating powers of the Dy Commissioner Hill and the Sub-Division officer French Rocks, on the French Rocks Sub-Division Police.

Sl. 1. From. The S. I. of Police.

No. 3273/359 Dt 23-3-1901

Forwards certain correspondence regarding the powers of the Dy Commr and the French Rocks Sub-Division officer over the French Rocks Sub-Police for orders.

The G. of police

No 13668 Dt 20-2-02
G.1160

Requests to forward a copy of the police Secy's Cir No. 107-2 Dt. 6-5-1885.

From

The G. of police.

No. 372 Dt 4-3-02

Forwards copy of the Circular requested to in the above.

To

The G. of police.
The Dy Comm. Mysore.

No. 15538-9 Dt 18-3-02
G1333

Specifies the relative powers of the Dy Commissioner Mysore and the Sub-Division officer French Rocks regarding the police powers.

J.V.R. Iyengar

4/4/96

ROUTINE NOTES.

[To be used only for notes, requisitions, etc.]

To Genl Records

Please put up. Govt Bro: of 1891 opened to enter

DMB
27/3/01.

Govt Bro: —
C. No 450·60 with 160
FILE NO. 1965/1900-09
Two cheques were submitted to Inspr Gen & sent to Mysore on per telegram. Spare copies requested.

27/3/01

R.B.
27/3/01

A spare copy put up.
Govt Bro: No 12484-6 d: 15/2/95
J 705
referred to in the letter, is not forthcoming. There is a slip in the records to show that it was taken by Mr Abdula Sheikh on 2-8-95. The purpose for which it was taken is not given in the slip. Search is being made for the same. Meanwhile to avoid delay, extract from the monthly Vol: of Bro: is put up.

DMB
14/01

X. This must have been placed with some other papers subsequently received. A search will be made.

Submitted. Let me see the file & mark it. I cannot find it in the records. Write under the order of 1895 & file the papers.
3/4

Sub. Let copies of the order of 1895 cited in the letter be put up. The original records have not yet been found.

DMB
15/4/01.

16
In G 1572/95 (copy put up, the original papers not traceable) the Govt. directed that the police of the French Rocks Sub Div. be placed under the immediate orders of the Res Sub Div. Officer, the Govt exercising general supervision.

This order has apparently worked smoothly for the past 5 years & more. Recently when the Asst Supt of Police French Rocks tried to evade the provisions of the above order, made the D.G. of Police

N. B.—Should notes, etc., be written on small slips the notes must be copied, or the slips pasted on this form.

certain general observations regarding the powers of the Dy Comr & the Sub Dn Officer over the Sub Dn police. The Govt, Mysore Dt thinks that these observations leave undisposed of a few unimportant questions like the following & has asked the Dy of Police to refer them for the orders of Govt.

(1) Does the Sub Dn Officer possess the powers of a Dy Comr as regards appointments?

(2) Does an appeal lie from every ~~appeal~~ order passed by the Sub Dn Officer to the Dy Comr?

The D.G. of Police might have helped the solution of the above questions by stating how, on the above points, the Dy Comr & the Sub Dn Officer have hitherto interpreted the orders of Govt dt 15/2/95.

In default of the above information Govt have now to lay down rules on the points referred to by 23/4/01.

N. B.—Should notes, etc., be written on small slips the notes must be copied, or the slips pasted on this form.

SEC. police

FILE 69 of 1900

S

Jud^{l} (Police)

Note submitted to the D Ewean.

Powers of the Sub-Div^{n} Officer of French Rock relatively with those of the Dy Comm^{r}.

The Specific questions raised are

(1) Who has the power to make appointment in the force?

(2) Do appeals from Sub-D^{n} Offr lie to the Dy Comm^{r} or Insp^{r} General.

The Dy C^{r} and Insp^{r} Gen^{l} give no definite opinion and ask for Govt Order

The Govt order placing the Police under the S. Offr does not give him all the Dy C^{r}'s powers. The Police is placed under the orders of the Sub-D^{n} Offr, the Dy Comm^{r} exercising a general Supervision. The Dy Comm^{rs} powers are defined separately in a Memo attached to the Govt

order on the subject enclosed. The intention of the fwd seems to have been to give the Sub-Div Offr all the Powers of a Dy Com. Perhaps a ruling as follows may do well enough.

"The Sub-divisional Offr of French Rocks will exercise all the powers of a Dy Comr in Police matters as laid down in Camp No. 6850-60 d. 19 Nov 91 ~~Subj to Police~~ subject to the general control of the Dy Comr, and to such exceptions as the Dy Comr with the sanction of the I.G. may prescribe from time to time."

Before passing this however it may be better to call for the opinions of the I.G., the Dy Com & the S.Offr. ~~Com~~

29/4/1907

Rec
-9/4/07
Dft 3179

Please write submitting a short historical account of the orders issued on the subject. An intelligent office note is what is wanted. Suggestion

must be made that I am not the only Sub-Div officer who has already commented & I cannot waste any time searching all the papers - where should such a regular file be found.

10.1.02

11/1/02

Please arrange as an open file & put up a note for

Early

15/1

Note

Subject - The relative powers of the Dy Commissioner Inspector District and the Sub-Division Officer French Rocks over the French Rocks Sub-Division Police

SECTION pol
FILE N 69 of 1900

Serial No. 5.

A

Pending reference - Letter No 3273 dated 23rd March 1901 from the Inspector General of Police Silbrith for orders of Government certain correspondence between the Dy Commissioner of Inspector and the I.G of Police regarding the respective powers of the Dy Commissioner and the Sub-Division Officer French Rocks over the Sub-Division Police

C

The powers and duties of Dy Commissioner Sub-Division Officers

and Police Assistants
were first defined in
Circular order No 107. 2
dated 6th May 1885. The
powers thereby conferred
on Sub-Division Officers
were almost coextensive
with those of Dy Commissioners
within their respective
jurisdictions excepting
that the communications
of Inspectors by Sub-
Division Officers were to
be submitted through
the Dy Commissioners
and the Police Assistants'
weekly diaries were
received directly by the
Deputy Commissioner
and transmitted to
the Police Secretary
Thus gave Sub-Division
Officers the power also
of appointing Jemadars.

As the Inspector-
General of Police was
of opinion that the
duel carried by
which both the

Serial No. 9 (enclosure)

Social No. 1. Memo.

Administrative and
Magisterial Heads of the
Taluk and District are
responsible for the
efficiency of the Police
but was not working satisfactorily
satisfactorily, owing to
its undefined nature
and it was necessary
to define in a more
definite way the Police
powers and duties of
by Commissioners &
relieve them of such
powers altogether the
above circular was
repealed by Camp No. 450-6
Dated Lyons 1st Nov 1871
and the powers of the
by Commissioners were
once more defined in a
memo appended thereto
The memo is silent with
regard to the powers of
Sub-Divisional Officers. The
only reference to Sub-
Divisional Officers is in
clause 8 of para 1 by
which Superintendents
and Assistant Superintendents
of Police are required to
send extracts from their
diaries affecting a

Sub Division & Sub-
Division Officer. As this
Memo is expressly stated
to be in supersession
of the original circular
order Sub Division
Officers seem to be
deprived of all Police
control in their Capacity
of Sub Division Officers
The unruly
nature of the Police in
the Lyons District and
the necessity for
dividing the Police
charge for purposes of
efficient supervision
either between the
Dy Commissioner Lyons
& the French Rocks
Sub Division Officer
by having a Superintendent
of Police for the whole
District with two Assistants
seem to have been
attracted after his functions
~~matters for correspondence~~
considered after. Evidently
on the recommendation
of Sir Madhava Rao the
then Inspector General
of Police the Police
of the Kinds Rocks

Vide Proceedings of the Govt of Ben No. 12484-6 / 1.705 Dated 15th Feb 1895

Serial No. 2

Sub-Division were placed under the immediate orders of the Sub-Division Officer, the Dy Commissioner of Hygine, exercising a general supervision over the Sub-Division Police. The duties of the Assistant Superintendent of Police and all communications of an important nature were to pass through the Dy Commissioner as before.

The relative powers of the Dy Commissioner of Hygine and the Sub-Division Officer are to be determined according to the above order.

Serial No. 3.

The Assistant Superintendent of Police Port Blair seems to have recently endeavoured to set aside the control of the Sub-Division Officer Port Blair and address letters to the Dy Commissioner, merely

forwarding them through
the Sub. Divn Officer.

The Sub. Divn Officer
thereupon took exception
to it as being in
violation of Govt Regs
No. 12484 dated 15th Feb
1875 J. 705

See enclosures
to serial No. 5

The matter was
referred to the I.G of Police
He held that the
Police Asst Superintendent
was wrong in addressing
the letter "through
the Sub. Divn Officer. The
I.G was also of opinion
on the strength of
the proceedings quoted
above that the Police
& the Sub. Divn were
under the immediate
orders of the Sub-
Divn. Officer the Dy
Commr exercising only
general supervision

The Dy Commr
of Tinnevelly thereupon
requested the I.G of
Police to define

the exact position of the Sub-Div Officer, whether he could exercise all the powers of a Dy Commr in Police matters and to whom appeals from his orders lie.

The I.G. of Police thereupon stated that though Circular No 107 was abolished yet its general principles were still applicable to the French Rocks Sub-Div Police as the Govt have expressly directed that the Police of the French Rocks Sub-Div shall be placed "under the orders of the Sub-Div Officer the Dy Commr exercising a general supervision". The powers of General supervision gave the power of reversing orders of the Sub-Division Officer to some extent and that it was not possible to define the powers in greater detail so that there may be

left for decision as
occasion arose?

The Dy Commissioner
of Hyderabad thereupon submitted
that the order of Govt
referred to above could
not be regarded as
constituting the Sub-
Divl Officer an inter-
mediate authority to
whom appeals lie from
the order of the Asst
Superintendent there
being a further appeal
to the Dy Commr from
his order and that
it would be anomalous
to define him of
certain powers which he
exercised throughout
the District merely
because there was an
authority intermediate
to him created. The
idea was of opinion
that it was necessary
to define what is
meant by "final
supervision".

The I. G of Police
has therefore referred the

12484-6
of 1905
15th Feby 1905

this correspondence
for the orders of Govt.
The points for decision
are
(1) Is Chuniah to appeals
lie from the orders of
the Sub. Div. Officer
to the Dy Commissioner
or the S. of Police
(2) Who has the power
to make appointments
in the force.

Submitted for orders thereon
Pr
11/3/02

Submitted to the Dewan

I think that an
order as suggested in
my note of 29 Apl 1902
(Sl. No. 7) will be suffi-
cient. This will leave
the French Rocks Sub-
division in an anar-
molous state as compared
with other recognised
subdivisions in Police

matters. But the size of the Clyde District, and the fact that in other Departments also, it has been found necessary to treat this subdivision virtually as a district, justify this course.

If the Dewan considers necessary, the I. G.'s opinion may be taken before passing this final order.

12/3/1902

3745
2012.3.02

6027

I would have been glad if all this unnecessary delay had been avoided in the subscription question.

The Sub Dn of French Works is distinguishable from the other Sub Dns and the Sub Dn Officer has been given a greater freedom of action than the Officers of that grade. The Head Quarters Work in the Dept & the Dist Fund Drills the Sub Division has been created an independent circle and the Public Works Dept has also made constituted a separate Division. The order of 1895 passed with regard to the relative powers of the Dy Comrs of the Clyde Dist & the Sub Dn Officer has been concerned in the same spirit. There seems now no reason to change this policy of Govt.

While the authority of general supervision and the ultimate responsibility are maintained in the Dy Comr it must be ruled that both these should be of a general character and not such as will make constant interference with the action of the Sub Dn Officer necessary. It is accordingly directed that the Sub Dn Officer of French Works will exercise all the powers of a Dy Comr

in Police matters as
laid down in Camp
No. 450-60-d / Nov 9 /
subject to the general
control of the Dy Comr
and to such exceptions
as the D.S. may with
the sanction of Govt pre
-scribe from time to

Appeals agst the
first Dn Officer's order
will lie to the D.S. of Po
lice in all such cases
the Dy Comr will
have the right to re
his remarks and ob
-servations for the con
-sideration of the D.S. o
Police -

The Asst Dy Comrs dea
all important com
will pass through the
Dy Comr to the Dy Comr
and the Dy Comr ma
append any remarks
observations he may
to make for the cons
of the D.S. of Police -

The Sub-Dn Officer
will realize that the
ultimate responsibility

in all matters connected
with the Dist Admn:
The Distt Jeis with the
Dy Comr and will regulate
his attitude & conduct towards him
in that subordinate & compliant
spirit which is the essential
of success in such official relationship.
The Dy Comr will certainly have
power to inspect any station
or call upon any Officer in the Sub-Div
for any information or record
and the Sub Div Officer will
see that due and prompt
attention is invariably given
to all such & other requisitions by
the Dy Comr.

13.III.08.

Issue at once
Please let me have
separate note explaining or
accounting for the
delay
15/3

15/3/1 · 15/3/10

J. 1138.

(5)

OFFICE OF THE
1907
10754
26.3.01
OF MYSORE.

From

THE INSPECTOR GENERAL
OF POLICE IN MYSORE.

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPTS.

SECTION - Pol.

FILE NO. 69 of 1900

SERIAL - 1 -

Dated

Despatched 23rd March 1901.

Received

General No. 3273

No. 35-9

Enclosure No. Six.

Submitting certain correspondence between the Deputy Commissioner of Mysore and this office the powers of the Deputy Commissioner of the Hosur Rocks Sub Division over the Hosur Rocks Sub division Police, and requesting Government to pass early orders on the question raised for the guidance of Police officers concerned.

Jud
26.3.01

MGCPE—5-3-01-1000

OFFICE OF THE
INSPECTOR GENERAL OF POLICE IN MY

No. Dated 2nd March 1901

Enc.

From

THE INSPECTOR GENERAL OF POLICE IN MYSORE

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

Sir,

I have the honor to forward herewith for information and orders of Government, Copy of letter No. 1752 dated 5th March 1901 from the Deputy Commissioner Mysore District, together with copies of the marginally noted correspondence between this office and the Deputy Commissioner, on the subject of the powers of the Sub-Division

(1) Mysore Deputy Commissioner's memo. No. 903 dated 9.12.00 forwarding Sub-Division Officers' remarks in regard to the Market No. 2211 dated 23.11.00 as referred to by the Asst. Superintendent of Police
(2) This office Market No 2202/170 dated 6-1-01
(3) Deputy Commissioner's No. 410/dated 15-1-01
(4) This office No: 2766/202 dated 7-2-01

Sub-Division officer of French Rocks Sub-Division over the Police in that Sub-Division.

It will be observed from the papers that under Government Order No. 12484/1900 dated 15th February 1895, the Police of the French Rocks Sub-Division were placed under the immediate orders of the Sub-Division officer, General supervision being exercised by the Deputy Commissioner as Head of the District. But as the Deputy Commissioner raised certain doubts as to powers in the matter of appointments &c. in the Police Department by the Sub-Division officer, (in docket No: 1401 dated 15-1-1901) I held that circular No: 107-2 dated 6 May 1885 issued by Government in the Police Department which defines the powers of the Police Assistant Superintendent, Sub-Division officers and

Deputy Commissioners. though subsequently superseded by Government Proceedings, Camp No: 450-60 dated 1st November 1891, could be held generally applicable so far as Police matters of the Sub-Division are concerned, and further stated that the orders of the Sub-Division officer were liable to be reviewed by the Deputy Commissioner in important matters and that the powers of the officers cannot be defined in greater detail &c:

I reserved for decision by Government questions as to powers of appeal when they should arise but as the Deputy-Commissioner has urged in his letter under reference that the point should be decided at once, I beg that early orders may be passed for the guidance of the Police officers concerned.

I have the honor to be
Sir
Your most obedient Servant

G Wrenwright

for Inspector General of Police

Deputy Commissioner's office
Mysore District

No. 1752

Dated 5th March 1901

From Encl: SK
The Deputy Commissioner
Mysore District

To
The Inspector General of Police
in Mysore.

Sir

Adverting to your docket No: 2766/203 dated 12th February 1901 in re the powers of the Deputy Commissioner over the French Rocks Sub Division Police, I have the honor to state that Para II of Govt: Proc: Comp. No. 450-60 dated 1st November 1891 Deputy Commissioners are invested with the power to confirm or Veto Police Superintendent's or Assistant Superintendent's nomination of Jamedars and to entertain and dispose of appeals against dismissals of Constables and Daffadars in addition to certain other powers

Govt: Order No: 12484-6/J 705 dated 15th February 95 only directed that the French-Rocks Sub-Division

Police be placed under the immediate orders of the Sub-Division officer, the Deputy Commissioner of Mysore exercising a general supervision over the Sub-Division Police without defining in clear terms as to what are sub-division officer's powers and what are Deputy Commissioner's powers. But I beg to state that in the absence of any specific orders to the contrary, the order of Government referred to above can only be construed to introduce an intermediate authority between the Assistant Superintendent and the Deputy Commissioner. In other words appeals from orders of the Assistant Superintendent of Hunsur Rocks are in the first instance to lie to the Sub-Division officer, the latter's orders being appealable to the Deputy Commissioner without any restriction. Thus there is nothing in the

Government Order restricting or curtailing the Deputy Commissioner's powers. I therefore fail to see how as stated by you in para 2 of your docket under reference, you have arrived at the conclusion that the Deputy Commissioner should have powers to review orders of the Sub-Division Officer to some extent. Further if the Govt: Order in question is to be understood to restrict my powers as an appellate authority certainly it would be anomalous; that in the District proper I should have all the powers as defined in para 2 of the Govt: Order Camp No: 450-60 of the 1st November 1891 while they should be restricted as regards the French-Rocks Sub-Division Police, merely because the Sub: Division officer was created as an intermediate authority between myself and the Assistant Superintendent of Police of French-Rocks.

I may state that if Heads of Departments are left in charge of their Department with

powers of General supervision in the light of the remarks contained in your letter without specific powers it is doubtful whether efficient working of that Department can be insured "General supervision" is too general an expression to indicate powers needed in an officer and in order to maintain discipline in the Police Force it is necessary that the powers of the officer exercising general supervision should be defined without giving any room for doubt but it cannot be left for decision as occasion arises" I understand it is only in point of law that a ruling is called for when a doubt arises but in the executive branch there should exist no doubt as regards the powers of the officers both in the interest of Government and the officer exercising the same.

In these circumstances I beg you will be so good as to place the whole matter

before Government for their orders as the question is one that is to be decided by them

I have &c:

/Sd/ C. Bradish

Dy: Comr.

Inspr Genl.

Y Hunnewright

For Inspector General

of Police

Mysore Deputy Commissioner's Memo: No: 203 dated 9-12-00 forwarding Sub-Division officer's Remarks in original on docket No: 211 dated 23-11-00 addressed by the Assistant Superintendent of Police

Forwarded in original for sanction of leave by D. C. The question now raised by S. D. O. called for a decision

9/12 /Sd/ C. Madaiah

Sub. Division officer's remarks

28-11-1900

Sir,

Submitted to the Deputy Commissioner with the following remarks arising from the necessity for enforcing Constitutional procedure.

The Assistant Superintendent has again

out of my control. By addressing this communication direct to the Deputy Commissioner, ever without my approval being obtained before hand. Hitherto he used to submit drafts for my approval and sign fair copies for the Sub-Division officer. This was in accordance with the standing orders of Government. His attention is drawn to Govt: Procs: No: 12484/1705 dated 15th February 1895 & 695 Dated 4th June 1887. Copies of which are hereto appended for ready reference. Evidently the Assistant Superintendent is unwilling to recognise the powers of the Sub-Division officer but until the said Procs of Government remain in force, the change of procedure being introduced by the Asst: Supdt: amounts to a breach of the directions contained in them.

"Copies"

Sd/ N. Venkata Rao
27/11.

Extract from the monthly Vol: of Tel 795

No. 12484-6 / J 705. d: 15/2/95. to the I. Gl of Police in Mysore
The Dy. commr Mysore
and
The Sub. Dn offr French Rocks

Sanctioning in accordance with the views of the I. Gl of Police, that the Police of the French Rocks Sub-Division be placed under the immediate orders of the Sub Dn offr, the Deputy commr of Mysore exercising a general Supervision over the Sub-Dn Police.

MEMO.

ercession of the Memo published with Circular Order No. 107—2, dated 6t
the following Memo of the powers and duties of Deputy Commissioners an
dents and Assistant Superintendents of Police (other than those under th
Procedure Code or other law) is published hereunder for information an
f all concerned :—

ers and duties of Superintendents and Assistant Superintendents of Police—

To appoint and dismiss Constables and Dafadars:
Appeals against such dismissals to lie to the Deputy Commissioners.

To nominate Jamadars and submit such nomination to the Deputy Commis sioners who may veto any such nomination and require the Superintenden or Assistant Superintendent to submit a fresh nomination.

To receive Taluk and Head-Quarter Inspector's Diaries; to pass orders o them and submit important Diaries to the Deputy Commissioner.

To hold investigations in important cases.

To inspect all Stations and check all Registers, or, when he is unable to g himself, to depute the Head-Quarter Inspector to do so.

To have entire charge of the Establishment of the District Head-Quarte Police Office attached to the Deputy Commissioner and to make all his pro posals in his Diaries only.

To submit weekly Diaries to the Deputy Commissioner, who will forwar them with his remarks and recommendations to the Inspector General o Police.

To send extracts of such Diaries affecting a Sub-Division to the Sub Divisio Officer, who, if he has any special remarks to offer, may communicate suc remarks to the Deputy Commissioner.

To receive and to check all Special and Station-House Diaries and to pas orders on them.

wers and duties of the Deputy Commissioner—

General supervision and ultimate responsibility in all matters connected wit the Police Administration of his District.

To confirm or veto Police Superintendent or Assistant Superintendent nomination of Jamadars and to entertain and dispose of appeals agains dismissals of Constables and Dafadars.

To nominate Inspectors, submitting Police Officer's recommendation or opinio to the Inspector General of Police.

To issue such instructions as he may deem fit whether when sought for b the Police Superintendents or Assistant Superintendents, or not.

To receive first information reports in heinous cases.

To receive Police Superintendent or Assistant Superintendent's weekly Diari and to submit them with his remarks to the Inspector General of Police.

To watch the detection of crime in his District; when the Police Superinten ent or Assistant Superintendent fails satisfactorily to deal with the invest gation of any important crime, to supersede him as regards such invest gation and to take the same into his own hands or to depute a qualifie Assistant Commissioner to make it. An Assistant Commissioner so depute shall exercise all the powers of an investigating Police Officer.

To take adequate precautions for protection of person and property an preservation of order throughout the District and generally to be respo sible for the prevention of crime in his District as far as possible.

To report any Police Superintendent or Assistant Superintendent what remiss or otherwise unsatisfactory in the discharge of his duty.

ANANDA ROW,
Chief Secretary.

1891.

GOVERNMENT OF MYSORE

GENERAL

PROCEEDINGS

Dated Camp Mysore, 1st November 1891.

Camp No. 450—

From The Offg Asst Superdt of Police Frauchrocks

To The Deputy Commissioner Sub-Division Mysore Through the Sub-Division Officer, Frauchrocks.

Dated

Despatched 23rd November 1900

Received

General No. 211
No.

Enclosure No.

Has the honor to state that Muthomuk Nayu mudeen, Head Warter — Inspector of the Frauchrocks has been permitted to avail himself of the 5 days' casual leave from the 23rd Instant to attend to his urgent private affairs at Mysore and to request that the Deputy Commissioner will be so good as to obtain the sanction of the —

Inspector. General for the Same

(Sd) Ind Zahiruddin Khan
Offg Asst Supdt of Poli

"Copy"

G Hammerton

From Inspector. General of Police

S.

Encl to 8

189

From The Inspector General of Police in Mysore

To The Deputy Commissioner Mysore District

Dated

Despatched 6th January 1901

Received

General No. 2302

No. 170

Enclosure No.

Docket no: 211 dated 23rd November 1900 from the Assistant Superintendent of Police, French-Rocks Sub-Division to the Deputy Commissioner with certain remarks of the Sub-Division officer forwarded with C. M. o: 203 dated 9th December 1900 by the Deputy Commissioner, Mysore District for decision on the question of the powers of the Sub-Division officer over the Police of the French-Rocks Sub-Division &c:

With reference to the above, has

the honor to observe that under Govt: Resp:
No. 12484/1705 dated 15th February 1875, the Police of the
Sub. Division, are under the immediate orders of
the Sub. Division officer, the Deputy Commissioner
exercising only general supervision and only the
weekly diaries of the Assistant Superintendent
of Police and all communications of an important
nature have to pass through the Deputy Commi
ssioner. As usual in Districts, the correspondence
regarding the Sub. Division Police with this office
should be carried on in the name of the Sub-
Division officer and addressed direct to this
office, only those of importance being forwarded
through the Deputy Commissioner, Mysore. This will
also be clear from the following extract from this
office letter No. 1340/107 dated 1st November 1894, to ——
Government.

× × × ×

I am of opinion that it will be conducive

in every way to the efficiency of the Force, if the Sub-Division officer is made responsible for the administration of the Police, the Assistant Superintendent of Police being placed under him. The Diaries of the Assistant Superintendent and other important papers may pass through the Deputy Commissioner who will of course exercise a general Supervision over the Sub-Division Police.

x x x

2. The action of the Police Assistant Superintendent in addressing the letter in question to the Deputy Commissioner "through the Sub-Division officer" is therefore opposed to rules and it is not clear why he adopted it in violation of the usual practice. At the same time it is desirable to point out that it will be inconvenient to insist upon Police Assistant Superintendent submitting every draft to Sub-Division officer for approval before hand -

as remarked by the latter office and that it is very essential for despatch of work that the Police Assistant Superintendent should be allowed to carry on the correspondence in matters of routine with this and other offices under the general instructions of the Sub-Division officer.

/Sd/ A. Rangasami Iyengar
Inspector General of Police

"Copy"

For Inspector General of Police

2 3

From

The Deputy Commissioner
Mypore District

To

The Inspector General
of Police in Mypore

Dated 15th January 1901.

Despatched

Received

General No. 1401
No.

Enclosure No.

Inspector General's docket No.
2302/170, dated 8th instant, re
the powers of the Sub-Division
officer over the Police of the French
-Rocks Sub-Division.

With reference to the above, has
the honor to request that he will be
good enough to inform the under-
signed whether Sub-Division officers
can exercise the powers of the
Deputy Commissioner in the
matter of appointments in the

Police Force, if so, it would be more than what he is authorised to do in the Revenue Department. The Government order is silent on this point.

It is necessary to define what are important matters and what not to avoid mistakes, as it very often occurs that what appears to be important to one may not be so to another.

The question as to whom the appeals from the orders of the Sub-Division officer lie, may also be decided as no reference is made to this point in the docket under reply. In the Revenue Department all his orders are appealable to the Deputy Commissioner but in the Police Department whether the Inspector General or Deputy Commissioner, is to be the appellate authority requires decision.

/sd/ C. Madish
Deputy Com'r.

"Copy"

Inspr Dt

G Wynne Wright
for Inspector General of Police

25.

From

The Inspector General
of Police in Mysore.

SL 1 To

The Deputy Commissioner,
Mysore District

Dated
Despatched 7/12 February 1901
Received
General No. 2766
No. 203

Enclosure No.

His docket No: 1601 dated 15th January 1901 in re the powers of the Sub-Division officer of French-Rocks over the Police in his Sub-Division.

In reply to the above has the honor to invite his attention to circular No: 107-2 dated 6th May 188: issued by Government in the Police Department which defines the powers of the Police Assistant Superintendents, Deputy Commissioners and Sub-Division

officers. Though these orders have been superseded by Government in their Progs: No: Camps 450-60 dated 1st November 1891, they can be held Generally applicable in the case of Police matters in the French-Rocks Sub. Division as the Government have expressly directed in their order No: 12484/1705 dated 15th February 1895 that the Police of the French-Rocks Sub-Division, should be placed "under immediate orders of the Sub-Division Officer, the Deputy Commissioner of Mysore exercising a General supervision of the Sub-Division Police".

As regards powers of appeal it should be noted that the Deputy Commissioner has the power of General supervision and ultimate responsibility throughout the District and he should naturally have powers to review orders of the Sub-Division officer to some extent. But it is not possible to define the powers in greater detail and that they may be left for decision as

1886/ A. Rangasami Iyengar

Inspector General of Police

No: 2772/67

Copy to the Sub-Division officer — Conch-Rocks, for information.

"Copy"

G Human Rights

for Inspector General of Police

Draft for W.M.C

(8)

To.

The Inspector Genl of
Police in Cyprus.

Psl

No. 69 of 1902

Dated 20-2-02

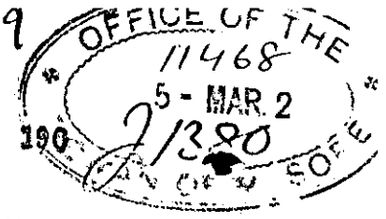
No. 13669
J.1160

Has the honour to request that the Inspector Genl will be so good as to forward for reference, a copy of the Police Secretary's Circular No 107-2 dated 6th May 1885 quoted in his letter No 3273/359 dated 28rd March 1901.

2. An early reply is requested.

By order
[illegible]
for Secretary

29



From

THE INSPECTOR GENERAL
OF POLICE IN MYSORE.

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPTS.

Pol.
4 of 1900
3 -

Dated 4 March 1902

Despatched

Received

General No. 372
No.

Enclosure No. 1

Forty a copy of the late Police Secy's ~~let~~ cir. No 107-2 of the 6th May 1885 as asked for in the Secy's Memo: No 13668 / J.1160 of 20 Feb: 1902

OFFICE OF THE

INSPECTOR GENERAL OF POLICE IN MYS

No. 372 Dated... Camp: Kolar 1st March 1902.

Enc. 1

From

B. K. Venkatarama Iyengar Esqr
1868. THE INSPECTOR GENERAL OF POLICE IN MYSORE.

To H. V. Nanjundayya Esqr. B.A.B.L.
THE SECRETARY TO THE GOVT. OF MYSORE,
in the GENERAL AND REVENUE DEPARTMENTS.

Sir,

I have the honor to forward
herewith a copy of the late Police Secretary's
Circular No. 107-2 dated the 6th May 1885
as required in your docket No. 13668 J1160
of the 20th February 1902. It is not now
in force.

I have the honor to be,
Sir,
Your most obedient servant
B. Venkatarama Iyengar
Inspector General of Police.

Tenure 1882-83

Office of the Secretary,
Police Department,

31

Bangalore, dated 6th May 1885.

Circular Order. No: 107-2.

The accompanying memorandum showing the magisterial and police powers of Deputy Commissioners and of the Sub-Divisional officers, and the police powers of police Assistant Commissioners, is herewith circulated for information and guidance.

By order,
(Sd) S. Venkatvaradaiengar
Offg. Secretary.

Memo of the Powers and Duties of Deputy Commissioners Sub-Division officers and police Assistants.

A. Police.

I. Powers and duties of police Assistant Commissioners.

1 To appoint and dismiss Constables and Duffedars.
2. To nominate Jamedars and submit such nomination to the District or Sub Division officer.
3. To receive Taluq Inspectors' diaries through Amildars, and Head-Quarter Inspector's diaries direct.

To pass orders on them and submit important diaries to the District or Sub Division officer with remarks.

4. To hold investigations in important cases.
5. To inspect all stations and check all registers, or, when he is unable to go himself, to depute the Head Quarter Inspector to do so.
6. To have entire charge of the Head Quarter Office establishment attached to the Deputy Commissioner and to make all his proposals in his diaries only.
7. To submit weekly diaries to the Deputy Commissioner who will forward them with his remarks and recommendations to the police Secretary.

To

To send extracts of such diaries affecting a Sub Division to the Sub Division officer, who, if he has any special remarks to offer, may communicate such remarks direct to the Police Secretary.

2. To receive and to check all special and station-house diaries and to pass orders on them.

ii. Powers and Duties of Deputy Commissioners and Sub Division officers.

1. General aid and Supervision and ultimate responsibility. (Deputy Commissioner to have this power throughout his entire District.)

These powers are to be exercised by the Sub Division Officer or Deputy Commissioner, each within his jurisdiction, provided that the Sub Division Officer shall submit his nominations of Inspectors within the Sub-Division through the Deputy Commissioner.

2 To appoint Jamedars on Police Assistants nomination.
3. To nominate Inspectors, Submitting Assistants recommendation or opinion.
4 To issue such instructions as he may deem fit whether when sought for by the Assistant or not.
5. To receive first information reports in heinous cases.

iii. Powers and Duties of Deputy Commissioners.

To receive Police Assistants weekly diaries and to submit them with his remarks to the Police Secretary.

iv. Powers and Duties of Sub Division officers.

To return to the Police Assistant Commissioner extract from the latter's diaries with remarks if any and to submit to Police Secretary his remarks, if any, on such extracts.

B. Magisterial.

Note:— Sections quoted in the body of the memo are of Criminal Procedure Code, 1882.

I. District Magistrates' Powers.

1. Ordinary powers under Schedule III.

ee Section 21 of act X of 1872
Do 132 do. 2. Power to receive arrest reports

reports (Section 62). (But as regards takings under the immediate orders of a Sub-Division Officer, the District Magistrate is not expected to exercise the powers which the Sub Division Officer is empowered to exercise except when there is in his opinion any special ground for his doing so.)

Thus the District Magistrate's powers within the Sub-Division will ordinarily be the following:—

vide Section 47, para 2 of act X of 1872. 1. Power to refer appeals, (Section 407).

Do 369 do 2. Power to issue search warrants for documents in the custody of Postal or Telegraph Authorities, (Section 96).

Do 500 and 511 do. 3. Power to discharge persons bound to keep the peace or to be of good behaviour, (Section 124).

Do 500 do 4. Power to cancel bond for keeping the peace, (Section 125).

Do 328 do 5. Power to quash conviction in certain cases, (Section 350).

Do 267 do 6. Power to hear appeals from orders requiring security for good behaviour, (Section 406).

Do 398 para 3 do 7. Power to revise orders passed under Section 514, (Section 515).

II Sub-Division Magistrates Powers.

vide Section 28 of act X of 1872. 1. Ordinary power under Schedule III.

2. Additional powers with which he may, if a 1st Class Magistrate be invested by Government.

He has such power under Section 26, act X of 1872. (a) Power to require security for good behaviour, (Section 110).

See Section 222, act X of 1872. (b) Power to try summarily, (Section 260).

vide Section 266 of act X of 1872. (c) Power to hear appeals from Convictions

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Convictions of 2nd and 3rd Class magistrates, (Section 407).

3. Power to call for records, (Section 435)

vide section 132 of Act X of 1872.

4. Power to receive arrest reports, — (Section 62.)

(Sd) K. Seshadri Ayya,
Dewan of Mysore.

"Copy"

Offg. Inspector General of Police.
1-3-02

SECTION 1 0

FILE No. 5 1 1 4 [illegible]

SERIAL No. 1

1901-2.

Read:-

Letter No 3278/35-9 d 23 March 1901 from the Inspector General of Police submitting for orders of Govt certain correspondence between the Dy Commr of Mysore and the I. Class Police regarding the respective powers of the Dy Commr and the Sub Divn Officers, Frenchrocks, over the Sub. Divn Police.

Govt Memo No 15538-99 18/1 J.1333 1/2

The Sub-Division of Frenchrocks is distinguishable from the other Sub-divisions and the Sub. Divn Officer there has been given a greater freedom of action than the other officers of that Grade

Grade. Both in the Municipal and the Rural depts the Sub Divn has been created an independent circle and the Public Works Dept has also constituted a separate Division. The order of 1895 passed with regard to the relative positions of the Dy Commr of the Dry Zone Dt and the Sub Divn Officer has been construed in the same spirit. There seems now to be no reason now to change this policy of Govt.

2. While the authority of General Supervision and the ultimate responsibility are maintained in the Dy Commr it must be noted that both these must be of a general character and not such as will make constant interference with the action of the Sub. Divn Officer

necessary. It is accordingly directed that the Sub. Divn. officer of Francis Rocks will exercise all the powers of a Dy Commr in Police matters as laid down in Camp Do 450-6 dated 1st Nov 1891 subject to the general control of the Dy Commr and to such exceptions as the I. G. may, with the sanction of Govt, prescribe from time to time.

3. Appeals against the Sub. Divn. officer's orders will lie to the I. G. of Police but in all such cases the Dy Commr will have the right to send his remarks and observations for the consideration of the I. G. of Police.

4. The Asst Supdts' diaries and all important Communications will pass through the Dy Commr to

the D.I. and the Dy Comm may append any remarks or observations he wishes to make for the consideration of the D.I. of Police.

5. The Sub. Div.n Officer will realise that the ultimate responsibility in all matters connected with the Police Administration of the Dt lies with the Dy Comm and will regulate his attitude & conduct towards him in that subordinate and compliant spirit which is the essential of success in such official relationship. The Dy Comm will certainly have power to inspect any station or call upon any officer in the Sub. Div.n for any information or record and the Sub. Divn Officer will see that due & prompt attention is invariably given to all such and other requisitions by the Dy Comm.

for Secretary
Cl 17/3/02 17/3/02